



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan R. Fritzberg et al.

Title: HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION

Docket No.: 295.044US3

Serial No.: 10/784,476

Filed: February 23, 2004

Due Date: N/A

Examiner: Unknown

Group Art Unit: 1616

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450


Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

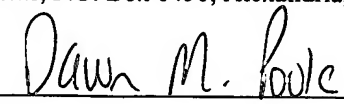
- ☒ A return postcard.
- ☒ A Communication Concerning Related Applications (1 pg.).
- ☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 7 cited documents.

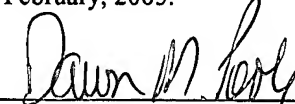
If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By:   
Atty: Warren D. Woessner  
Reg. No. 30,440

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10<sup>th</sup> day of February, 2005.

  
\_\_\_\_\_  
Name

  
\_\_\_\_\_  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)



S/N 10/784,476

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Alan R. Fritzberg et al.	Examiner:	Unknown
Serial No.:	10/784,476	Group Art Unit:	1616
Filed:	February 23, 2004	Docket:	295.044US3
Title:	HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION		

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the document listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the Form 1449, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. § 1.97(b), it is believed that no fee or statement is required with this Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Serial No :10 784,476

Filing Date: February 23, 2004

Title: HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION

Page 2

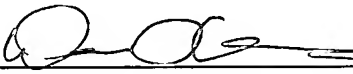
Dkt: 295.044US3

Pursuant to 37 C.F.R. § 1.98(a)(2), Applicants believe that a copy of the cited U.S. Published Application is no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicants have not included a copy of the US Published Application cited with this submission. Should the Office require a copy to be provided, Applicants respectfully request that notice of such requirement be directed to Applicants' below-signed representative.


Respectfully submitted,  
ALAN R. FRITZBERG ET AL.  
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6903

Date 2-10-05

By   
Warren D. Woessner  
Reg. No. 30,440

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Name

  
Signature

S/N 10/784,476

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan R. Fritzberg et al.

Examiner: Unknown

Serial No.: 10/784,476

Group Art Unit: 1616

Filed: February 23, 2004

Docket: 295.044US3

Title: HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION



**COMMUNICATION CONCERNING RELATED APPLICATION(S)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

Serial/Patent No.	Filing Date	Attorney Docket	Title
10/615484	July 8, 2003	295.034US1	THERAPEUTIC AND DIAGNOSTIC COMPOUNDS, COMPOSITIONS, AND METHODS
10/014335 6,767,531	December 11, 2001	295.044US1	HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION
10/159245	May 29, 2002	295.044US2	HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION
10/172363	June 14, 2002	295.052US1	SKELETAL TARGETED RADIATION TO TREAT BONE-ASSOCIATED PATHOLOGIES
10/601081	June 20, 2003	295.054US1	SKELETAL-TARGETED RADIATION TO TREAT BONE-ASSOCIATED PATHOLOGIES
10/882054	June 30, 2004	295.044US4	HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION
11/041828	January 24, 2005	295.044US5	HIGH DOSE RADIONUCLIDE COMPLEXES FOR BONE MARROW SUPPRESSION

Respectfully submitted,  
ALAN R. FRITZBERG ET AL.  
By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6903

Date

2-10-05

By

Warren D. Woessner  
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Name

Signature

Substitute for form 1449A PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

**Application Number** 10/784,476**Filing Date** February 23, 2004**First Named Inventor** Fritzberg, Alan**Group Art Unit** 1616**Examiner Name** Unknown**Attorney Docket No:** 295.044US3

Sheet 1 of 1

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	2004/0126317	07/01/2004	Fritzberg	06/20/2003

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T <sup>2</sup>
	WO 90/06776	06/28/1990	Simon et al.	
	WO 91/16075	10/31/1991	Turner et al.	

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Abstract Book, Annual Congress of the EANM", <u>European Journal of Nuclear Medicine and Molecular Imaging</u> , 31, Helsinki, 2004, including abstracts P908, P925-P936, and P946-P952 (2004).	
		"Manufacture of Triethylene Tetramide", <u>Research Disclosure</u> , 315, Number 31591, 595 (1990).	
		GOLDMAN, "Good Drug, Bad Luck: Business, Regulatory Issues Can Create Obstacles for Drug Development", <u>Journal of the National Cancer Institute</u> , 96, 1573-1574 (2004).	
		KYLE et al., "Multiple Myeloma", <u>The New England Journal of Medicine</u> , 351, 1860-1873 (2004).	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.